

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JAMES A. JALOVEC,

Plaintiff,

v.

Case No. 05-C-250

SYNAGRO MIDWEST, INC.,

Defendant.

ORDER STAYING JUDGMENT PENDING APPEAL

Following an eight-day jury trial, on October 11, 2007, the jury returned a verdict in favor of James A. Jalovec (“Jalovec”) and against Synagro Midwest Inc., (“Synagro”) and awarded Jalovec \$557,830.00 in damages. (Docket No. 215.) The jury also rejected Synagro’s counterclaim. (Docket No. 215.) Pursuant to this jury verdict, judgment was entered accordingly. (Docket No. 216.)

On December 7, 2007, the court resolved the parties’ various post-trial motions, (Docket No. 244,) and ordered the judgment modified to include an award of attorneys’ fees and costs in favor of Jalovec, (Docket No. 245).

On January 7, 2008, Synagro filed a notice of appeal, (Docket No. 249), and a motion to stay the judgment and waive supersedeas bond on appeal, (Docket No. 247). Jalovec responded to this motion, (Docket No. 251), and Synagro replied, (Docket No. 253). On February 8, 2008, this court denied Synagro’s motion, (Docket No. 255), and on February 22, 2008, the Seventh Circuit Court of Appeals did likewise, (Docket No. 256 at 8).

Subsequently, Synagro filed with the Clerk of Court a supersedeas bond in the amount of the judgment plus 15% to cover interest and such damages for delay as may be awarded plus \$500

to cover costs. (Docket No. 258 at 3.) Jalovec has not objected to the form of the bond or the sufficiency of the surety. Therefore, pursuant to Civil L.R. 62.1 and Federal Rule of Civil Procedure 62(d), the court approves the supersedeas bond and hereby orders the judgment stayed pending appeal.

SO ORDERED.

Dated at Milwaukee, Wisconsin this 17th day of March, 2008.

s/AARON E. GOODSTEIN
U.S. Magistrate Judge